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13 *Attorneys for Plaintiff, DAVID MCDONALD,*  
14 *on behalf of himself and all others similarly situated*

15 *Attorneys for Defendants on following page.*

16 UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

17 DAVID MCDONALD, on behalf of himself  
18 and all others similarly situated,

19 Plaintiffs,

20 v.

21 CP OPCO, LLC, dba CLASSIC PARTY  
RENTALS; INSPIRITY PEO SERVICES,  
22 L.P.; APOLLO GLOBAL MANAGEMENT,  
LLC; APOLLO CENTRE STREET  
23 PARTNERSHIP, L.P.; APOLLO  
FRANKLIN PARTNERSHIP, L.P.;  
24 APOLLO CREDIT OPPORTUNITY FUND  
III AIV I LP; APOLLO SK STRATEGIC  
25 INVESTMENTS, L.P.; APOLLO SPECIAL  
OPPORTUNITIES MANAGED  
26 ACCOUNT, L.P.; APOLLO ZEUS  
STRATEGIC INVESTMENTS, L.P.; and  
27 DOES 1-20,

28 Defendants. /

Case No. CV 4:17-cv-04915-HSG

**JOINT STIPULATION AND ORDER  
REGARDING HEARING ON MOTIONS  
FOR PRELIMINARY APPROVAL AND TO  
PARTIALLY STRIKE CLASS CLAIMS**

Date: September 20, 2018  
Time: 2:00 p.m.  
Place: Courtroom 2, 4th  
Floor  
Judge: Hon. Haywood S.  
Gilliam

Complaint Filed: August 23, 2017  
Trial Date: June 24, 2019

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17 *Attorneys for Defendant, APOLLO GLOBAL MANAGEMENT, LLC*  
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1 Plaintiff David McDonald (hereinafter, “Plaintiff”), Defendant Insperity PEO Services,  
2 L.P. (“Insperity”), Defendant Apollo Global Management, LLC, Defendant Apollo Centre Street  
3 Partnership, L.P.; Defendant Apollo Franklin Partnership, L.P.; Defendant Apollo Credit  
4 Opportunity Fund III AIV I LP; Defendant Apollo SK Strategic Investments, L.P.; Defendant  
5 Apollo Special Opportunities Managed Account, L.P.; and Defendant Apollo Zeus Strategic  
6 Investments, L.P. (hereinafter collectively, the “Apollo Defendants”) (hereinafter collectively, the  
7 “Parties”) hereby stipulate as follows.

8 WHEREAS, on August 9, 2018, Plaintiff filed a “Motion for Preliminary Approval of  
9 Class Action Settlement” (ECF Nos. 105 to 105-7) (hereinafter, the “Preliminary Approval  
10 Motion”);

11 WHEREAS, on August 10, 2018, Insperity filed a “Preemptive Motion to Deny  
12 Certification of Portion of Class Alleged” (ECF Nos. 108 to 108-5);

13 WHEREAS, pursuant to the Court’s Order of August 10, 2018 (ECF No. 106), the  
14 Preliminary Approval Motion and the Preemptive Motion to Deny Certification of Portion of  
15 Class Alleged are set to be heard on September 20, 2018;

16 WHEREAS, the undersigned counsel for Insperity have conflicts with the September 20,  
17 2018 date that they have not been able to resolve (previously scheduled deposition and  
18 mediation);

19 WHEREAS, both such motions are unopposed.

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1 NOW THEREFORE, the Parties stipulate that the hearings on such motions should be  
2 continued to October 4, 2018 at 2:00 p.m., or such other date as may be convenient for the Court.

3 Dated: September 6, 2018

Respectfully submitted,

4 RUDY, EXELROD, ZIEFF & LOWE, L.L.P.  
5 ALTSHULER BERZON LLP

6 By: /s/ John T. Mullan

7 JOHN T. MULLAN  
8 CHAYA M. MANDELBAUM  
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13 MEREDITH A. JOHNSON  
14 Attorneys for Plaintiff  
15 DAVID MCDONALD, on behalf of  
16 himself and all others similarly situated

13 Dated: September 6, 2018

Respectfully submitted,

14 PAUL, WEISS, RIFKIND, WHARTON &  
15 GARRISON LLP  
16 COOLEY LLP

17 By: /s/ Andrew J. Ehrlich

18 ANDREW J. EHRlich (appearing *pro*  
19 *hac vice*)  
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23 MICHELLE C. DOOLIN  
24 SUMMER J. WYNN

25 Attorneys for Defendant  
26 APOLLO GLOBAL MANAGEMENT,  
27 LLC  
28

1 Dated: September 10, 2018

Respectfully submitted,

2 FISHER & PHILLIPS LLP

3  
4 By: /s/ Christopher M. Ahearn  
5 MARK JACOBS  
6 CHRISTOPHER M. AHEARN  
Attorneys for Defendant  
INSPERITY PEO SERVICES, L.P.

7 **ECF ATTESTATION**

8 Pursuant to Civil L.R. 5-1(i)(3), the filer attests that concurrence in the filing of this  
9 document has been obtained from each of the other signatories thereto.

10 Executed this 10th day of September, 2018, at Costa Mesa, California.

11 /s/ Christopher M. Ahearn  
12 Christopher M. Ahearn

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17 **ORDER**

18 GOOD CAUSE APPEARING, based on the foregoing stipulation, the hearings on  
19 Insperity's "Motion for Preliminary Approval of Class Action Settlement" and on Plaintiff's  
20 "Motion for Preliminary Approval of Class Action Settlement" are continued to October 4, 2018  
21 at 2:00 p.m.

22 DATED: September 11, 2018

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24 HON. MAYWOOD S. GILLIAM, JR.  
25 U.S. DISTRICT JUDGE  
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